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## THE CONSENTING SPINSTER IN A PEASANT SOCIETY: ASPECTS OF PREMARITAL SEX IN "PURITAN" SOMERSET 1645-1660

The value systems around which people organize their private lives, especially the sexual mores of the common people, are now subject to long overdue investigation. Parish aggregate surveys and family reconstruction provide relevant demographic material; and the analysis of literary sources, with due allowance for their middle-class bias, recreate, in part, the thought world of the peasant. An effective probe into the sexual aspects of a society has been the study of premarital sex and illegitimacy, particularly as a barometer of changing sexual mores. Peter Laslett and Edward Shorter have raised, and in the case of the former, demolished many hypotheses relevant to the nature and extent of illegitimacy, and the cause and course of the sexual revolution. In so doing they both present a picture of traditional society and its conservative sexual values. Shorter argued that traditional sexuality was circumscribed by the imperative of maintaining a stable community life, and "people were either chaste before marriage, or began sleeping together only after the engagement was sealed." Bastardy in the 17th century normally stemmed "from engaged peasant couples who delayed the marriage too long." The primary aim of this paper is to examine why girls consented to premarital intercourse and, in passing, to re-examine some of the features of the "traditional" sexual profile.<sup>1</sup>

The peasantry appeared to conform most readily to these traditional values — at least on the basis of the bastardy ratio, the lowest in four centuries — in the 1650s. An analysis of what Laslett calls the "most interesting time of all," in the aftermath of the Civil War, and during the political dominance of the Puritans, is fraught with methodological difficulties. To recreate the sexual environment, the age, occupation, marital status, sexual experience, social rank and relationship of the parties involved, and the circumstances, time, place, frequency, duration and techniques of sexual activity need to be known. This requires, in turn, a detailed statistical investigation which depends on the availability of sequential and sufficiently detailed evidence. Parish records are uneven in the period and the ecclesiastical courts, major recorders of sexual behaviour, were temporarily abolished by the mid-17th century. However, the justices of the peace, concerned with some sexual matters through their bastardy jurisdiction, became increasingly involved with general sexual issues with the demise of ecclesiastical jurisdiction and the legislative reforms of the early fifties.<sup>2</sup>

Consequently an outline of some features of the sexual environment can be discerned through the records of the Quarter Sessions, especially through the informations, depositions, and examinations contained in the Session Rolls. These records are uneven and incomplete in terms of the questions asked of them, and the following reconstruction, including the use of statistics, is im-

pressionistic. The argument that these sources, concerned as they are with the alleged criminal elements of the community, cannot be taken at face value as a guide to normal sexual behavior is rejected. The evidence given by the witnesses, who were drawn from a cross-section of society, make the Quarter Session records a source of general community opinion. The conformist view of a deviant tells us as much about the former as the latter.<sup>3</sup>

## I

Under what circumstances did premarital intercourse in Somerset take place? Where and when were the acts committed? Was there any pattern discernible in the social relationship of the partners involved? What sexual techniques were employed? What type of girls consented? How were such sexual acts detected?<sup>4</sup>

Many of the circumstances which led to sexual activity arose from the normal routine of a spinster's employment. A servant might be propositioned as she lighted a man to his bedchamber or when she attempted to make his bed. Often she was not safe in her own bed as some males within the house were always anxious to share it. One girl attempting to lull her master's child to sleep took the infant into her own bed where they were quickly joined by the child's father. Sleeping arrangements necessary in poorer households could create circumstances conducive to seduction. An old man, a young boy and a servant girl might be bedded in the same chamber. Old men did not lose their sexual appetite as early as younger generations expected and boys developed similar tastes more quickly than their parents realized. One girl excused the inevitable because she and her seducer had been lodged in the same room with a young teenager as their only companion.<sup>5</sup>

Girls who worked out of doors might also find their chastity threatened during the normal course of their employment. A farmer took a girl with him one evening to drive sheep to the fields, "and there, he had the carnal knowledge of her body." Another was seduced by a carrier — "she being there to borrow horses of him for her brother." Fellow servants became intimate when they found themselves in a secluded field watching over "a cow that had lately calved." Others took the opportunity when they were cutting hay or fern together, or picking peas or beans.

Travelling was another major occasion for sexual activity. Couples returning from fairs and markets spent some time in ditches or under hedges. Many girls claimed to have been seduced on the highway by a stranger whom they had never seen before or since. To be sure, these claims usually represented clumsy attempts to conceal the identity of the man responsible for their subsequent pregnancy. Nonetheless, highways were frequented by males anxious to attempt the chastity of women travellers. A spinster hurriedly returning home on an early spring evening passed a man on the highway. He, in turn, overtook her "tripped up her heels and cast her down, took up her coats and swore a great oath." The oath was all that he could utter on this occasion as another traveller, hearing the girl's screams, came to her assistance.<sup>6</sup>

Statistically it was indoors and not on the roads that most premarital intercourse recorded in the Quarter Session rolls took place. Three-fifths of the acts occurred within a house. Two-thirds of the houses involved belonged to the girl

or her relatives or master, one-sixth belonged to the male or his relatives or master, and one-sixth to a mutual master, friend or third party. Within the house, the kitchen and the hall rivalled the bedroom. Floor, bench, and table were more accessible than the bed. The kitchen floor, in front of the fire, was especially popular. Privacy before a winter's fire was scarcely possible but this was not an impediment to sexual activity – “There was then sitting by the fire in the said room Henry Martin and Ames Priddy, but being no light, the said William Easton took his deponent and laid her on the ground, and there begot her with child.” Servants also delighted in using the master’s bed, even when he was absent. This may have reflected some deep psychological or social motive but its superior comfort to the tableboard or straw palliasse seems a more acceptable explanation.<sup>7</sup>

One-third of premarital experience involving the country wench took place out of doors. One girl recalled that her initial experience occurred “in Ashill street under the wall . . . the rest of the times was in the forest.” Other outdoor locations included gardens, orchards, ditches, lanes, moors, commons, churchyards and under hedges. One girl succumbed to her lover at the door of his own house, another in the church porch. Outhouses provided the rendezvous for the remainder. The inn or tippling house was not a common location for the initial seduction of the single girl, for these places were the haunts of the wayward wife and the wanton widow. Consequently, a wench entering a strange drinking house, or seen by a stranger unaccompanied in her own, was often mistaken for a whore.<sup>8</sup>

P.E. Hair in his examination of bridal pregnancy found “no obvious seasonal trend in premarital conceptions.” Although yet to be confirmed by an exhaustive analysis of parochial registers, the evidence before the Quarter Sessions and the preliminary sampling of selected parishes suggests a marked seasonal variation in the frequency of premarital intercourse in Somerset. It conforms roughly to the “markedly bimodal distribution” that Ursula Cowgill noted in her study of 16th-century York. Illicit sexual relations were most frequent in Mid-summer and at Christmas, with less pronounced peaks at Easter and Michaelmas. There were quite noticeable regional and local increases in activity. Frequency can be strongly correlated with holidays. Feasts, revels and fairs were all occasions for heavy drinking and Puritan attempts to suppress such activities were unsuccessful. Holiday, drink and sex made up the basic combination. A man apprehended fornicating in a bean patch was a typical example. He confessed that he “had been before at two or three houses and being the feast time he drank very hard and did intend to go to sleep.” However before he could doze off he met a girl.<sup>9</sup>

Christopher Hill noted that “May Day celebrations still reputedly produced their crop of bastards in seventeenth-century England.” However, in Somerset, May Day does not appear to have been a major occasion for illicit sex. Few girls examined for fornication or bastardy, and questioned as to the date of intercourse mentioned it. Notwithstanding this, the loose talk of the inn and the jibes of the village gossips continue to emphasize the sexual activities of the day. Most of the examples discovered in this sample came from the same part of the county, the North West – the hilly hinterland of the Bristol Channel. A girl was

accused of fornication with two men "one after another" during the May Day revels. A man bragged to his drinking partners that "I did on May Day in the morning go forth into the fields and put off my clothes and tumbled and bathed myself in the dew to make myself litty (i.e., nimble) and then did occupy three women." Bathing in the dew, for the reasons stated, was a long established custom. Whether the end result was the "occupation" of numerous women is less well established. Perhaps the traditional activities of May Day were exaggerated, or limited to a specific area, or affairs on that day were with potential husbands and the consequences, if any, never came under official scrutiny, or the girls were better prepared to handle the possible climax to the day's activities.<sup>10</sup>

The social relationship most common among partners engaging in premarital sex is that of an unmarried female servant and a man, married or single, living under the same roof. In two-fifths of these relationships that man was the master, in a quarter the master's son, in another quarter a fellow servant, and in the remainder a guest of the house. These liaisons between master and servant revealed significant yet not unexpected characteristics. In the first place most of the masters involved came from the lower end of the peasant spectrum. They were husbandmen and labourers rather than yeomen. The relative absence of yeomen reflects the expected social bias of the law and perhaps a greater degree of morality among that class. If this latter point could be established it would question a key aspect of Shorter's concept of traditional society in which "all popular strata behaved more or less the same, having similar social and sexual values." Unfortunately the evidence will not sustain any definite conclusions.<sup>11</sup>

Most of these master-servant amours were consequently between partners of similar social status. Population pressure necessitated the placing of girls in households lower down the social scale. The resulting similarity of status made marriage one possibility should a serving wench become pregnant. It would be dangerous to assume from the apparent frequency of master-servant coition that Shorter's second stage, master-servant sexual exploitation, was more widespread than he suggested or that it rivalled what he considered the normal form of premarital intercourse prior to the 18th century — that between engaged couples. In the first place the similarity of status between many of the couples suggests that the master-servant relationship, often temporary or recent, was a facade for "engaged couples." In the second place, the nature of the evidence on this point is highly biased. It is concerned with those relationships which did not for one reason or another lead automatically to marriage. Family reconstruction, establishing the number of pregnant brides, correlated with the number of pregnant spinsters in a selected area will in time, given the availability of the material, confirm or deny Shorter's assumption. In fact, only then can any firm statement be made on the frequency of premarital intercourse.<sup>12</sup>

In contrast with the egalitarian nature of the master-servant liaison, those involving the master's son represent a clear difference in social status between the partners. A socially superior male seduces an inferior female. Paternal pressure on the male renders marriage an improbable solution to any consequences of their sexual activity. Seduction in a gentry or yeoman household by the master's son seems to have been accepted as one of the inevitable hazards

of service by girls of inferior status. Their families complained only if, after pregnancy resulted, the male involved refused to accept his financial responsibility.

The servant was not the only female seduced in the domestic milieu. A female relative of the master was often subject to the attentions of the male servant or apprentice. The experience of the mother who found the family apprentice with her daughter "up against the hay in the barn and had taken up her coats and opened his breeches standing up against her" was not uncommon. In addition, with the frequency of remarriage a daughter could be charmed by her new stepfather. One girl "could not be quiet for her said father . . . until she granted his desire."<sup>13</sup>

Given the enormous problems facing a single girl who became pregnant, it might be assumed that contraception played a major role in the sexual profile of the consenting peasant spinster. Such is not, in fact, the case.

The Session Rolls for this period certainly contain no direct evidence of contraceptive practices among the peasantry. A comment of a very experienced widow that "those are fools that would be with child" may hint at their existence, and the medicines administered to young women, without explanations being recorded, may not have been to abort a current pregnancy but to prevent potential conception. Yet in every instance where the reason for such medication is given it is for the former and not the latter purpose. Knowledge available to the middle class (and sexual intercourse knew no class boundaries) does not appear to have been utilized by the peasant spinster. The major reason for denying the widespread use of contraception, at least in the premarital context, is the attitude of hundreds of girls immediately prior to intercourse. Detailed descriptions of the conversation and activity of numerous couples which climaxed in coitus are extant. In one case a girl permits intercourse on the subsequently proven erroneous guarantee of her lover that he would not get her pregnant. In no other case does the question of prevention arise. Every girl is concerned, if not obsessed, with the possibility of conception. However, this concern takes the form of clarifying her situation should pregnancy occur. Social and economic cure, not physical prevention, is the consideration.<sup>14</sup>

The peasantry were conservative in the position they favored for intercourse. The consenting spinster lay on her back or leaned back against a wall or gate with the man on top of her or pressed up against her. The sessional records detail no variants from the traditional positions.<sup>15</sup>

Laslett and Shorter both argue that premarital intercourse did not imply promiscuity and was usually between "engaged" couples. Most girls engaging in such acts in Somerset were by their declaration not promiscuous. Of each one hundred girls appearing before the justices eighty-five admitted intercourse with only one man, and thirty-two claimed they had indulged in a single act of premarital sex. Considering the low probability of pregnancy occurring from a single act of coition — one chance in fifty — such claims from pregnant spinsters must be suspect yet still significant. If true, it would support the view that premarital sex with one man, presumably the potential husband, was fairly common. After all, between one-quarter and one-third of the brides of England went to the altar pregnant. In essence, to be statistically credible the numbers

claiming impregnation in their sole sexual act, representing as they did a small proportion of those indulging in such acts, given the chance factor involved, would indicate a considerable number of these acts. If false, the claim indicates a desire by the girls to make their sexual activity conform to generally acceptable norms — limited intercourse with the same man.<sup>16</sup>

Of course there were a promiscuous few, although the role of the village whore was usually reserved for the wayward wife or wanton widow. Single girls who made a habit of drinking hard and long at disreputable tippling houses and in dubious company were rare and their fate considered a just reward for their behaviour by both villagers and the authorities.

And in some short space after the candle was taken by . . . the woman of the house . . . William Guppie came to her, and took her about the middle and threw her down by violence upon the board in the chamber where they were drinking and by force had the carnal knowledge of her body against her will . . . then immediately . . . Balch . . . had likewise the carnal knowledge of her by violence and against her will . . . Guppie's sister was present and others in the same chamber while she was so abused and none of them did offer to assist her, but made sport of it.

A few girls who were not too experienced were maintained in some middle- and upper-class households to help in the sexual education of the innocent young men. One clergyman's servant enjoyed this role so much that she forgot discretion, and her overt activity and consequent pregnancy caused complaint and ultimate dismissal. Not only did she get herself pregnant by the vicar's fourteen-year-old son, but made a habit of putting her hand into the codpieces of young gentlemen.<sup>17</sup>

A new factor in the life of the village which played some part in the sexual experience of the young girl in this period was the presence of soldiers. Soldiers were hated, and ammunition whores were the most detested of village women. A girl, accompanied by a soldier when she went a-milking, was told by her irate master to leave — "he would not keep such a slut in his house." Many village wenches were reprimanded "for keeping company with soldiers." Troops billeted in a village had considerable sexual opportunities and they do not appear to have lacked female company despite local detestation — a situation warranting deeper analysis. The general village attitude is expressed by a girl, rendered hysterical by an incestuous relative — he "was as bad as the soldiers." Even the sight of a village lass sitting peacefully under a hedge with a soldier rendered one respectable citizen so furious that he stabbed her severely with his sword. The arrogant and disruptive behaviour of the soldiers, the jealousy of local swains, the relative wealth of the troops, the fear of venereal disease, and the general antipathy to the stranger, played their part in developing such an attitude. However, the basic reason for this antipathy was economic. A village girl had to be kept away from soldiers, otherwise "she would have a bastard and then she would put it to some neighbour." The village consequently reserved its greatest wrath for the local girl caught in the act of intercourse with the soldier. One employer saw her servant go into a barn with a soldier. She "got open the door upon them and saw the soldier lying upon her and her clothes up so that she saw her naked skin. And for which misdemeanours the neighbouring people took and ducked her in a mill stream saying that if she were hot they would cool her."<sup>18</sup>

However, other communities may have encouraged girls to consort with soldiers. Evidence is obscure but some girls were offered up by village communities as peace gestures to occupying troops. In late 1645 as Lord Goring's troops were engaged in their last stand against the advancing New Model, a body of Royalist horsemen descended on the village of Doulting. "There they were very rude and beat up most of the people." They demanded a woman "to dress their meat, whereupon Joan Eaton . . . was brought thither, and remained there with the said soldiers all the day and night." Joan, from that point, was an outcast in the eyes of the village. Later the village, anxious to blacken her name, produced considerable evidence of her subsequent activities in entertaining troops of both sides. None of the evidence suggested she had had any sexual activity before the village had flung her at the Royalist troopers.<sup>19</sup>

Community reaction to premarital sexual activity is most clearly revealed in its attitude to the detection of such activity. Sexual acts came under official notice mainly in two ways — through the pregnancy of the girl, or through the eye-witness accounts of prying neighbours. Few local authorities went out of their way to inform on the young people of the village. Tithingmen and constables reserved their major attention to those sexual acts that tended to disrupt the life of the community — the adulterous activities of married women and predatory widows. However, the readiness of large sections of the village community to spy on its spinsters raises a complex range of possible motives. Jealousy, revenge, village feuds, moral conviction, economic self-interest, and voyeurism played their part, but the lack of evidence prevents a relative assessment. Nevertheless, some impression of the basic mores of the informer, the atmosphere of each situation emerges from the following evidence proffered to the authorities.

Two husbandmen of Queen Camel on their way to church one summer's evening noticed a couple standing promiscuously in a doorway. On their way home from church some hours later they saw the same couple together in a small copse. The churchgoers

suspecting the parties because the said Susan had formerly a bastard jogged after them, and saw them go into a bean close of Mr. Parsons . . . the examinants, the better to discover the parties intentions, went up a tree, and there looking on, perceived the said parties a little affrighted at the coming of a milk maid towards them. The said Bennet thereupon ran a little off, but after the maid was gone . . . Susan went further into the bean close to the said Bennet, where they both sat down in the beans together, which, the Examinants perceiving went down from the tree and so unto the bean ground.

How long they took in reaching the bean patch is not recorded but the girl when confronted by the informers (the man had run off again) remarked that if they had stayed a little longer in their tree they "might have seen more than they did." Their timing was bad and they had to content themselves with accusing the girl of stealing beans that had got caught up in her clothing.

A group of people were drinking together into the early hours of the morning. When a man and girl left the company on horseback two other members of the group, Simon and Walter

having a suspicion of them in regard to their familiarity together that they had an intent to commit some wickedness . . . went out after them to see that they would

do, and following after them near the half a mile from the said house they saw . . . John . . . and Jane . . . off from his horse down in the highway . . . and saw him upon her down in the ground in the said highway, they . . . heard her say that the place was too hard for her, whereupon they rose and went presently into the ditch together. And there he set her up against the banks. . . . They heard her say . . . who shall be the father of it if she should prove with child. He answered he could not tell. She replied . . . it must be Simon or the other. Presently upon these words they, these informants (and the would-be fathers) leapt over the hedge where they were and saw them part one from the other.

A couple could not even rely on the privacy of the man's home. An elderly woman of Stogumber, living in a house adjoining that of the local barber, saw a girl come in at his back door "and make fast the door after her." A few minutes later the barber came in at his front door and locked it. She became suspicious "that it was for no good intent" and "looked in between the durns and the door which parted her chamber . . . and the said John Morris his chamber, and saw the said John Morris and the said Dorothy enclose themselves together and the said Dorothy . . . put one of her hands about his neck and the other in his codpiece. Then the said John Morris and the said Dorothy went and lay on the bed." The informant, horrified at what she saw, "went away over the street to call one of her neighbours to rebuke them for it, but he was not at home." She waited until the barber left his house and told him, "Fie, John, fie! I never thought to have seen so much baseness in in thee. I will never dress thee one bit of meat more whiles I live."

Two other farmers on another summer's eve went out to look at a plot of grass that was ready to cut. They saw a man and woman walking together in the field and watched them sit down under the distant hedge. The farmers

mistrusting them, the said John and Hannah being together (in such a plot of long grass, under a hedge and no way there) went after them as privately as they could to see what they intended to do . . . (and) heard the said John desire of the said Hannah to lie with her. To which she replied that she should not, for fear she would be with child, then the said John told her that he would marry her the next morning, whereupon the said Hannah granted the said John to have the carnal knowledge of her body . . . And when the said John and Hannah had almost ended what they were about this Informant stept in unto them and took the said John by the tail of his shirt and demanded of them why they were so wicked as to commit such a wicked act, to which the said John replied that the said Hannah was his wife by promise and that he did intend to marry her the next morning by eight of the clock.<sup>20</sup>

## II

Hannah's reason for consent was the most common explanation given by peasant women – the promise of marriage. Six in every ten gave this explanation. Consent was granted "upon the promise of marriage otherwise this deponent would not have consented unto him." He "promised her marriage many times which was the cause she yielded unto him." There is considerable speculation as to the nature and effect of such a promise and at what stage sexual intercourse was socially acceptable. In rural Somerset, the evidence strongly supports Peter Laslett's conclusion that "an agreement to marry meant freedom to copulate." If this was not so there would be little point in the vociferous manner in which girls, who were not pregnant, emphasized the

promise when accused of immorality. Even the Puritan publicists seemed to view such behaviour with mild intolerance. William Gough wrote that "contracted persons are in the middle degree between single persons and married persons, they are neither simply single nor actually married. Many make it a very marriage . . . yea many take liberty after contract to know their spouse, as if they were married: an unwarrantable and dishonest practice."<sup>21</sup>

To the rural community of Somerset the promise constituted the act. A breach of the agreement united the village in support of the wronged party, usually the female. The parish of Charlton Musgrave petitioned the Quarter Sessions on behalf of Joan Marsh. "She hath lived in the parish . . . in honest repute and good credit, until she was of late circumvented and betrayed by Joseph Kettle who (as we have heard) promised the said Joan to intermarry with her and is now gone from her and most abusively left her in great distress and misery." The parish of South Petherton was still active in April, 1647 trying to locate and punish the reputed father of a base child born to a village spinster, under promise of marriage, seven years earlier.<sup>22</sup>

Most of the promises made to these girls were not formally witnessed contracts. They were verbal and uttered within the hearing only of the couple concerned, and often elicited during love-making, as in the case of Hannah, as a condition of intercourse. Some girls were not satisfied with such vague promises and insisted on guarantees which nevertheless fell well short of the traditional contractual arrangements. One man, after promising to marry a girl, fulfilled one of the symbols of the conventional contract. He "did break a piece of silver and grant her a piece." Another girl asked her swain to endorse his promise of marriage with a solemn oath on the basis of Malachi 2, 14-15 — "Jehovah hath been a witness between thee and the wife of thy youth — yet is she thy companion and the wife of thy covenant."<sup>23</sup>

Irrespective of the nature of this promise of marriage, males did regard it as bestowing a right to copulate — a right which most girls seemed willing to grant. A young spinster of Chew Stoke recalled that her lover had "been a suitor to her above a year last past and above half a year since did promise to marry her in the presence of her mother and brother." From that time hence the couple acted as if they were married. When the mother called her daughter "from him to go about her work he would not let her go saying she was his wife" and she added that her daughter had confided in her that "he was earnest with her to let him make the use of her body" to which she had consented numerous times since the promise of marriage. A very upset girl whose lover "hath since done his best endeavour to have been married to another" reported that:

there being an agreement of marriage between this deponent and the said Thomas Forward with the consent of this deponent's father and the time for the said marriage being appointed the said Forward by his great importunity telling this deponent that now the said Forward and this deponent were man and wife and therefore he never left this deponent but that he must have the carnal knowledge of his deponent's body upon the promise and agreement above said.<sup>24</sup>

The duration of the status, wife by promise, varied. In many cases it became a de facto marriage in which no legal union seems intended or desired. Avis Marsh described such a situation. She confessed that

by the space of about four years last past . . . she hath lived an incontinent life with one Thomas Britton. And that she hath had by him three children all now living, the last for which she is now questioned was begotten she knows not when or where because of her often accompanying with him. And further she saith that she hath not had the carnal knowledge of any man's body but of Thomas Britton since the conception of the first of those base children.

In many cases economic necessity delayed the transformation of wife by promise into a legal union. The structure of a 17th century household, outlined by Laslett, forced considerable delay in the marriage plans of many couples.

. . . marriage was an act of profound importance to the social structure. It meant the creation of a new economic unit . . . It gave the man full membership of the community, and added a cell to village society. It is understandable, therefore, that marriage could not come about, unless a slot was vacant, so to speak, and the aspiring couple were fit to fill it up. It might be a cottage which had fallen empty, so that the man servant and a woman servant could now marry and could go and live there as cottagers. For the more fortunate, it would be a plot of land that had to be taken up and worked by some yeoman's or some husbandman's son with his wife to help him . . . This meant that all young people ordinarily had to wait before they were permitted to marry.

This delay was expressed in the religious language of the day by a labourer when he told a fellow worker about Mary Grove. She was a "handsome, careful and painful maid and . . . she was his wife and that as soon as God should enable him he would marry her."<sup>25</sup>

The status of wife by promise normally lasted until the onset of pregnancy. In the great majority of cases a man accepted the need to formalize the relationship at this stage. He confessed that "the child was his and she was his wife by promise." Occasionally a girl had to exert some pressure and remind the male that she submitted to his desires under such a promise of marriage — "the same promise this deponent doth still claim." Men who went back on their word usually did so because of the economic and social pressure indicated above. Not unexpectedly, few confessed that it was because they "fell in love" with another maiden. The socio-economic pressures were sometimes very specific. Fathers exerted tremendous influence, and disinheritance was a major calamity. The young yeoman, who took the oath on Malachi, refused to marry the girl "because he knew that if he did that his father would give him nothing." A gentleman who for two years had enjoyed a spinster's favours under a promise of marriage agreed that "he did faithfully promise to make her his wife and the reason why he would not marry with her for present was for fear he should incur his father's displeasure." At all levels of society there were some who saw marriage as a social and economic elevator. One such character enjoyed his wife by promise "until . . . having hopes to marry with another maid that had a greater portion he left her company."<sup>26</sup>

The promise of marriage and its subsequent fulfillment protected the girl from the more unfortunate social consequences of premarital sex. Nevertheless, many girls consented to intercourse without such a promise, if these major consequences were rendered harmless or sufficiently muted. Fear of pregnancy and its social and economic consequences was the major factor inhibiting consent, and with little evidence of contraception it was an ever present probability. However, one in ten of the girls engaging in premarital intercourse

accepted the probability of pregnancy, and had consented on the condition that the male would provide financially for the child. This underlines the point that the basic obstacle to consent was this fear of the economic and social consequences of the act, and not any reservations about its alleged inherent immorality. For example, a girl confessed that she consented after a man promised that "if he did beget this deponent with child he would keep the child." Another girl yielded because the man "promised her to give the parish security in case she should prove with child." Such cases of promised maintenance usually involved married men or those of a higher social or economic status than that of the girl involved. In essence, those males who promised to maintain the child fell into two clearly defined groups – those who were unable to marry the girl, and those who were financially able to maintain one or more bastard children. The pressures on the first group were often considerable, on the latter peripheral.<sup>27</sup>

Some couples felt free to engage in regular premarital intercourse having decided in advance to ascribe paternity to some unfortunate, and in many cases, quite wealthy acquaintance. An example of this was given earlier, although not all victims were as fortunate as Simon and Walter in hearing themselves being bestowed with fatherhood by the copulating couple. Another girl consented to premarital intercourse because her suitor convinced her that "if she were with child by him she might put it to her master."<sup>28</sup>

Few girls in this sample raised any moral or religious objection to the suggestion of sexual intercourse. Yet this is clearly an area where the specific "criminal" nature of the evidence precludes extensive generalization. The number of girls propositioned, and who refused on moral grounds within the community-at-large, can never be known. Despite the limitations of the evidence it is nevertheless surprising that so few girls, in protesting their innocence, do not resort to the moral issue. Two examples only were found, and one of these involved a married woman. One girl, alone with a lecherous neighbour, invoked religious sanctions before escaping from his attention – "You look about that nobody sees you but there is a God that sees all your actions." Some seducers dismissed spectres of eternal punishment:

The said Roger did then solicit her this informant to be dishonest with him and then better to persuade her so to do thereunto he told her that if she had any child by him he would give it means to maintain it . . . And then there was no punishment for any man . . . but only in this life which was none at all so long as he would allow means to maintain the child, after this life there was no punishment because there was neither heaven nor hell.

In essence, Roger's temporal observation was accurate. Economics, not morality, was the basic social consideration. When girls were delivered of base children the parish petitioned for official action for financial rather than moral reasons. "Whereas Judith Ford . . . hath lately had a base child . . . and as yet she hath not been questioned for the said offence whereby the said parish hath no security for their discharge from the said base child." Parishes petitioned for the reduction of punishment on the girls in order that they might be free to fulfill their financial obligations to the parish. Even when Puritan parishes raised the moral issue it was closely related to the economic. It is dangerous to assume that the wickedness referred to in the following example is sexual intercourse and not the blatant attempt to conceal the identity of the father, and thus make the

child a charge against the parish of High Littleton. This parish complained that "Agnes Hedges . . . who was delivered of a base child and . . . required to name the father she audaciously affirmed that it was begotten by a traveller upon the highway . . . which seemed to your petitioners very improbable and false and therefore some of them not willing that such wickedness should be so sleighted over complaineth unto Mr. Jones therefore, one of the justices of that limit."<sup>29</sup>

Another one in ten of the girls consented, not because they felt protected from the possible consequences of their act, but because they had temporarily lost control of their senses. In most cases they were drunk. There was no shortage of drink in rural Somerset. On the average every man, woman and child in England drank over a pint of beer every day. This is a conservative estimate as it excludes much of the home-made beer, and all the cider produced within many households. Illicit drinking houses covered the county and the rigorous Puritan campaign for their suppression was not successful. It was an accepted social practice for young girls to organize their own drinking parties. A village girl took some malt to the local brewer and "told him that she together with some other maidens of her acquaintance had a desire to be merry together . . . and desired him to make beer of the malt." This he did, and later the girls "came to his house and made merry with the beer." Heavy drinking, especially on holidays, appears a socially accepted practice for both males and females in the rural communities of Puritan Somerset. Consequently, it is not surprising to find a girl deflowered in a stable "when she was drunk." Another was persuaded "to drink more than she was willing" by two men anxious "to have their unlawful desires of her." A third "drank so much strong water that she was drunk" and nine months later was delivered of a child. A spinster who accepted a pint of wine from a soldier found herself "persuaded . . . to incontinency." A fifth girl defended her chastity against a man who brought "a flagon of beer for the purpose." A female servant "was constrained by . . . Robert Cook to drink too much. And so after she . . . went to bed . . . Cook came to bed to her and had the carnal knowledge of her body that night two or three times."<sup>30</sup>

Many girls consented simply because their desire to do so outweighed any possible consequences. They were in love and/or their sexual appetite was so aroused that it demanded satisfaction. In this state girls were talked into the act, easily and willingly, without the aid of drink or the promise of marriage or maintenance. Nevertheless, many girls who acted out of love believed that such a promise was implicit in their act of consent. One swain "with many other words talking with her . . . never left persuading until he had persuaded this deponent to have the carnal knowledge of her body." Many a girl consented because the male was pretending love or making a great show of love to her. In such a state girls often took the initiative, although their motives may have been more complex than the simple satisfaction of sexual appetite.<sup>31</sup>

Many a girl could not be quiet for a man until she had granted his desire. A harassed groom was typical of many when he complained that a girl provoked him and "asked him to be naught with her." Other girls relied on timing. Waiting until the reluctant male, having drunken too much, retired to bed to sleep it off, the girl "came into the chamber . . . and came to lay down on the

bed." A servant girl crept into the bedroom where two males shared the same bed. The man she did not disturb recalled the events of the evening:

One Sarah Strange a servant likewise . . . came to the bed . . . And supposing this informant to be asleep came into the bed that side where . . . John Stevens lay, with her clothes not taken off. And desired . . . John to put his legs in between her legs, and presently after asked of him the said John whether her clothes did make him to be cold. The said John answered no. And . . . (did) get upon the said Sarah . . . (and) did pull away a great part of the clothes.

Not all girls were successful in seducing their man. A young wench went away for the night with her lover. They travelled a reasonable distance across a number of parishes and put up at an inn. After much food they retired for the night to their separate rooms. Two spinsters, then in the inn, were suspicious of the couple and kept watch on both chambers. At midnight they were rewarded. The girl came to the man's bed, put off her shoes and slipped in beside him. She was heard to say, "William, will you not be as good as your word and turn about." William slept soundly on. In all, one girl in ten said she consented to premarital intercourse in order to satiate her lust or fulfill her love.<sup>32</sup>

Bribery, in the form of presents or money, played very little part in persuading the single girl to consent to sexual intercourse. It is mentioned by less than one in a hundred. On the other hand widows and married women seemed very eager to accept such gifts and in their case it appeared a significant factor.

Somewhat fewer than one in ten of the girls consented to sexual intercourse through fear or violence. The girl thrown at the soldiers has already been mentioned. A servant claimed that her master locked her in his house "swearing that he would kill her unless she would consent." Another claimed she was taken against her will the first time and as required had cried out loudly but the man "stopped her mouth with his hands." There are many cases where consent through fear and outright rape became hard to distinguish. Proof of rape was very difficult. David Jenkins in his handbook for magistrates indicated that "in rape there must be *rem in re*, penetration, as well as *emissio seminis*: otherwise it is not a felony." He warned that "a jury ought to be very careful herein, and not find a bill upon any slut's oath." In an atmosphere of intimidation and fear, and without witnesses, slut, saint, or child could be raped in all but the legal, and unfortunately only meaningful sense of the word. A little fourteen-year-old, Ann Granger, returned from an errand for her mistress. As she re-entered the yard near the stable door she was grabbed by the arm by a male servant of the same household "and so pulled . . . into . . . the stable." She was told to "hold her peace" and the man took her "against a grintern in the . . . stable." He instructed her to say "that if her mistress did ask why this deponent did stay so long she should say she had been at Anthony Gregory's house and so this deponent did."<sup>33</sup>

In more common situations, fear played a substantial yet often indirect role. A Trent spinster recalled that a yeoman came to her father's house and persistently desired sexual intercourse with her. "This deponent refused him but at length partly through fear, he being a troublesome man, he had the carnal knowledge of her body." Women could act against persistent or potential lechers. One servant, whose master, a gravely-ill husbandman, was confined almost permanently to his bed, was plagued by a neighbour eager to take ad-

vantage of the master's indisposition. She sought from the justices the imposition of a good behaviour bond on the man because "he had three several times earnestly importuned this deponent... in her said master's house... which made this deponent fear to go about her said master's business, doubting, though she had often refused him, yet he would again attempt to do what formerly he had desired."<sup>34</sup>

In conclusion, premarital sexual activity took place in a milieu where the household of one's employment was a frequent location, where drink and holidays created opportunities, where contraception appeared rare, and the surveillance of the village community intense. The girls consented to premarital intercourse usually after a promise of marriage, which clearly involved, as an accepted condition, the right to copulate. The promise of marriage, the effects of intoxication, the satisfaction of sexual appetite, love, fear and violence contributed to the girl's consent. However, bribery and the counter pressure of moral restraint were not major factors in her decision. Premarital sexual intercourse with a promised husband was a socially accepted practice in rural Somerset, and accounts for the larger part of such activity. However, in general, there was little opposition to the activities of the consenting spinster and her partner until such consent became manifest in conception.

In general, this picture confirms many accepted aspects of the traditional profile sketched in their different ways by Laslett and Shorter. It does raise some questions, however. Shorter's typology of illegitimacy might be questioned in two ways. Given the male domination of the village community can master-servant exploitation be clearly separated from "peasant bundling"? If this distinction is possible, the location and extent of the former in the 17th century is a critical factor in determining the validity of his thesis. A second aspect requiring further probing is the relative role of employment and holiday in encouraging premarital intercourse. Did the 17th-century male copulate whenever the fancy took him with a female, placed by the needs of her employment, within his grasp? Or was premarital sex an activity reserved for the holiday and facilitated by alcohol? Perhaps "the holiday" determined the timing, especially of the initial seduction, and the "employment" situation prescribed the companion. Irregular sex on holidays and after revels and fairs with a female whom you knew well might have been the norm. Maybe the 17th-century peasant was too busy and too tired to mix premarital sex and work. However, the foregoing evidence suggests that there were many who were not.

It is clear that economic pressure and not moral precept was the major inhibiting factor in the mind of the consenting spinster. J. Michael Phayer in analysing lower-class morality in 19th-century Bavaria bluntly suggested that "rural landless people assigned no moral value at all to sexual activity." One suspects that this was the attitude of many landed as well as landless "peasants" in the 17th century. Laslett argued that "if the shape of the society was to be maintained then Pauline morality had to be maintained." If the shape of society was altering through economic and political factors Pauline morality may have long been redundant and irrelevant. This is another hint that the sexual revolution may have developed earlier and more strongly than Shorter suggests.<sup>35</sup>

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## FOOTNOTES

1. Peter Laslett, *The World We Have Lost* (London, 1971), in the text, notes and authorities raised many of the issues and indicated the key "demographic" articles and monographs. Subsequent articles included Edward Shorter, "Illegitimacy, Sexual Revolution and Social Change in Modern Europe," *The Journal of Interdisciplinary History*, 2 (Autumn, 1971), 237-272 and Peter Laslett and Karla Oosterveen, "Long-Term Trends in Bastardy in England," *Population Studies*, XXVII, (1973), 255-286; Literary sources have been used effectively in the numerous works of Christopher Hill; Keith Thomas, *Religion and the Decline of Magic* (London, 1971); and the articles of R.V. Schnucker, "Elizabethan Birth Control and Puritan Attitudes," *Journal of Interdisciplinary History*, V (1975), 655-668, "The English Puritans and Pregnancy, Delivery and Breast Feeding," *History of Childhood Quarterly*, 1 (1974), 637-658; Shorter, 240, 244. Laslett makes the same point in *The World We Have Lost*, 139, "But by and large men and women lived what the respectable call respectable lives. They were chaste until marriage came, or perhaps until it was in certain prospect in the very near future."
2. For bastardy ratios see Laslett, 142, or Laslett and Oosterveen, 267; for example, An Act for suppressing the detestable sins of Incest, Adultery and Fornication, 10 May 1650.
3. Some 500 girls provide the crude base for the "impressionistic statistics." However, on most issues the specific evidence is available for from one- to two-thirds of the sample.
4. Somerset has been chosen for this analysis for reasons which are not relevant to the specific aim of this paper. In many ways, 17th-century Somerset, with its variety of socio-economic conditions, was a microcosm of all England. It had highland pastoral zones, rich champion agrarian, forest pastures, textile manufacture, and its northern parishes merged into the second city of the land – Bristol. It is providing an ideal case study to test Laslett and Oosterveen's rejection of a direct and simplistic connection between the general socio-economic complexion of an area and differences in sexual mores and behaviour. For socio-economic "regions" see Joan Thirsk (ed.), *The Agrarian History of England and Wales* (Cambridge, 1967); C.1. and Eric Kerridge, *The Agricultural Revolution* (London, 1967), C. II.
5. Information to John Pyne, Justice of the Peace, 31 July 1649, Session Rolls, Volume 81 part of the Quarter Session Records of the County of Somerset, held in the Somerset Record Office, Taunton, Somerset, hereafter in the style: Pyne, 31 July 1649, *S.R.*, 81. In the quotations, spelling and punctuation have been modernized and the spelling of proper nouns rendered consistent. In general, the ellipses have been used to remove repetitious legal formalisms and jargon and not to reduce the substance of the extract. See also Edward Ceely, 26 May 1651, *S.R.*, 83-II; George Sampson, 16 May 1656, *S.R.*, 93-II; William Ceely, 28 April 1650, *S.R.*, 82-II; Thomas Wroth, 13 September 1649, *S.R.*, 81.
6. William Whiting, 1 October 1659, *S.R.*, 97; George Sampson, 15 July 1656, *S.R.*, 93-I; William Ceely, 3 June 1650, *S.R.*, 82-II; Marmaduke Jennings, 5 April 1650, *S.R.*, 82-II.
7. John Cary, 22 March 1643, *S.R.*, 86; Pyne, 16 July 1656, *S.R.*, 93-I.
8. Pyne, 26 November 1655, *S.R.*, 93-II; Giles Strangeways, 9 December 1652, *S.R.*, 85; Edward Ceely, 4 October 1651, *S.R.*, 83-I.
9. P. Hair, "Bridal Pregnancy in Rural England Further Examined," *Population Studies*, Vol. XXIV, No. 1 (March, 1970), 67; Ursula M. Cowgill, "Life and Death in the Sixteenth Century in the City of York," *Population Studies*, Vol. XXI (1967), 53; John Ash, 5 October 1655, *S.R.*, 91. For supply of beer, see Robert Long, 7 August 1656, *S.R.*, 93-I; E.H. Bates Harbin, *Quarter Session Records for the County of Somerset*, Vol. III (London, 1912), 102; Cary, 7 July 1655, *S.R.*, 91.

10. Christopher Hill, 187; Thomas Siderfyn, 25 May 1654, *S.R.*, 89; Siderfyn, 3 November 1652, *S.R.*, 85.
11. Shorter, 240. This master-servant pattern was in marked contrast to the situation in the Catholic seaport of Nantes three-quarters of a century later in two respects. In the first place, the seduction of the servant girl was usually by a male of vastly superior social status, normally the master or his friends, and in the second place affairs between servants rarely involved those employed in the same household. Jacques Depauw, "Amour illégitime et société à Nantes au XVIII<sup>e</sup> siècle," *Annales*, 27a Année (1972), 1155-1182.
12. Shorter, 240.
13. Cary, 26 September 1656, *S.R.*, 93-I; Richard Bovett, 10 September 1656, *S.R.*, 93-I; See also Bovett, 30 September 1656, *S.R.*, 93-I.
14. Contraception remains an enigma. The controlled birth rates of the period, late marriages, and low illegitimacy figures suggest that the course of nature was in some way subverted. The debate on this issue continues unabated and three possible explanations have been put forward. The first suggests that men and women became chaste, and sublimated their sexual drives, which led to frenetic activity in other spheres, and possibly contributed further to the development of the Puritan work ethic. The second interpretation argues that men and women reverted to non-coital and usually homosexual or masturbatory activity. The third thesis considered that despite the lack of evidence contraception was nevertheless widely practiced. See E.A. Wrigley, "Family Limitation in Pre-Industrial England," *Economic History Review*, XIX (1966), 82-109, especially 105. For an explanation of low birth rate and its consequences see J.L. Flandrin, "Mariage tardif et vie sexuelle: discussions et hypothèses de recherche," *Annales* 27 Année (1972), 1351-1378. For attitude to and knowledge of contraception see R.V. Schnucker, "Elizabethan Birth Control and Puritan Attitudes," *Journal of Interdisciplinary History*, Vol. V (1975), 655-668.
15. R.V. Schnucker, "La position puritaine à l'égard de l'adultére," *Annales*, 27 Année (1972), 1379-1388.
16. For discussion on, and further references to, the probability of conception, see Laslett, 301; Hair, *loc.cit.*
17. Bonner, 13 August 1654, *S.R.*, 89; Morgan, 22 February 1650-1, *S.R.*, 83-II.
18. Edward Ceely, 22 April 1649, *S.R.*, 81; Morgan, 24 June 1650, *S.R.*, 82-II; William Ceely, 10 June 1650, *S.R.*, 82-II. For stabbing of girl see Thomas Gorge, 27 March 1651, *S.R.*, 83-II; Morgan, 24 June 1650, *S.R.*, 82-II; Thomas Latch, Jan-Feb (?) 1651-2, *S.R.*, 84.
19. Morgan, June 24 1650, *S.R.*, 821-II.
20. For these examples of "detection" see Robert Hunt, 8 July 1657, *S.R.*, 95-II; Henry Bonner, 25 May 1659, *S.R.*, 98-II; George Trevelyan, 8 February 1658, *S.R.*, 98-I; Edward Ceely, 10 June 1653, *S.R.*, 98-II (this examination is filed out of sequence).
21. William Cole, 11 August 1655, *S.R.*, 91; Edward Ceely, 28 May 1649, *S.R.*, 81; Laslett, 151; William Gough, quoted in Laslett, 153.
22. Petition of Charlton Musgrave or Quarter Sessions, undated, in *Petitions, Commonwealth and Restoration* (164), held in the Somerset Record Office; Petition of South Petherton to Quarter Sessions, Ivelchester, 28 April 1647, *S.R.*, 80.
23. Pyne, 10 February 1656-7, *S.R.*, 95-III; Edward Ceely, 26 May 1649, *S.R.*, 81.

24. Richard Jones, 2 September 1657, *S.R.*, 95-II; Cary, Hannah Cox, 7 January 1655, *S.R.*, 91.

25. John Hippisley, 22 March 1652, *S.R.*, 86; Laslett, 94; Jones, 23 June 1655, *S.R.*, 91.

26. William Ceely, 25 September 1652, *S.R.*, 85; Cary, 17 January 1653-4, *S.R.*, 86; Cary, 1 August 1655, *S.R.*, 91; Edward Ceely, 26 May 1649, *S.R.*, 81; Bonner, 28 April 1656, *S.R.*, 93-I; Jones, 23 June 1655, *S.R.*, 91.

27. Cary, 6 January 1656-7, *S.R.*, 93-I; John Preston, 15 January 1649-50, *S.R.*, 82-II.

28. John Buckland, 21 October 1654, *S.R.*, 90.

29. Buckland, 2 January 1654-5, *S.R.*, 90; Order of John Pyne, 19 April 1652, *S.R.*, 84; Petition of High Littleton to Taunton Quarter Sessions 1648, *S.R.*, 80.

30. Keith Thomas, *Religion and the Decline of Magic*, 18. Wroth, 16 June 1649, *S.R.*, 81; Bovett, August 1657, *S.R.*, 95-I; Bonner, 13 August 1654, *S.R.*, 89; Latch, 27 February 1651-2, *S.R.*, 84; Thomas Gorges, 22 January 1651-2, *S.R.*, 84; William Smith, 12 May 1656, *S.R.*, 93-II; Smith, 31 May 1650, *S.R.*, 82-I.

31. Cary, Mary 1653, *S.R.*, 86; Cary, 24 January 1653-4, *S.R.*, 89; Cary, 22 March 1653-4, *S.R.*, 86; Latch, 21 April 1652, *S.R.*, 84.

32. Jones, 4 November 1652, *S.R.*, 85; Edward Ceely, 6 December 1655, *S.R.*, 91; Edward Ceely, 12 April 1653, *S.R.*, 86; John Turberville, 21 January 1650, *S.R.*, 83-II.

33. George Sampson, 14 January 1653-4, *S.R.*, 86; Edward Ceely, 3 April 1657, *S.R.*, 95; David Jenkins, *Facis Consultum*, London, 1657, 10; Cary, 31 March 1656, *S.R.*, 93-III.

34. Cary, 7 September 1656, *S.R.*, 93-I; Cary, 13 December 1655, *S.R.*, 91.

35. J. Michael Phayer, "Lower Class Morality: The Case of Bavaria," *Journal of Social History*, 8 (Fall, 1974), 87; Laslett, 137.